

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

**101 PARK AVENUE
NEW YORK, NY 10178**

(212) 808-7800

WASHINGTON, DC
CHICAGO, IL
HOUSTON, TX
SAN DIEGO, CA
LOS ANGELES, CA
PARSIPPANY, NJ
STAMFORD, CT
AFFILIATE OFFICE
MUMBAI, INDIA

FACSIMILE
(212) 808-7897
www.kelleydrye.com

JOSEPH A. BOYLE
EMAIL: jboyle@kelleydrye.com

September 30, 2020

By ECF

Hon. Ronnie Abrams
United States District Judge
U.S. District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Venture Group Enterprises, Inc. v. Vonage Business Inc.*
No. 1:20-cv-04095-RA-OTW

Dear Judge Abrams:

We represent Venture Group Enterprises, Inc. (“Venture”) in the above-referenced action. Pursuant to Paragraph 5 of Your Honor’s Individual Practices in Civil Cases, Venture submits this letter motion for leave: (1) to file a redacted version of its memorandum of law in support of its motion to dismiss defendant Vonage Business Inc. f/k/a Vonage Business Ltd.’s (“Vonage”) counterclaims and to strike certain affirmative defenses; and (2) to file under seal the Declaration of Joseph A. Boyle and accompanying exhibits in support of Venture’s motion.

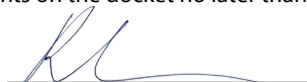
Pursuant to Paragraph 5(A)(iii)(i) of Your Honor’s Individual Practices in Civil Cases, Venture seeks this leave on the ground that Vonage requested that the exhibits to the Declaration of Joseph A. Boyle be filed under seal and the redactions Venture seeks leave to file relate to those exhibits.

Because Venture has failed to explain why sealing portions of its memorandum of law and supporting declaration is justified under the standard set forth in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), its request is denied without prejudice. If Venture seeks to file these materials under seal, it shall, no later than October 8, 2020, provide the Court with the reasoning for why, under the *Lugosch* standard, sealing is justified here. If not, it shall file unredacted versions of these documents on the docket no later than October 8, 2020.

Respectfully submitted,

/s/ *Joseph A. Boyle*

Joseph A. Boyle



Hon. Ronnie Abrams, 10/1/2020

SO ORDERED.